

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-MDL-1570 (GBD)(SN) ECF Case
This document relates to: <i>Cloud, Jr. et al v. Islamic Republic of Iran</i>	Case No. 20-cv-00416 (GBD)(SN) ECF Case

**PLAINTIFFS' NOTICE OF MOTION FOR ENTRY OF PARTIAL FINAL
DEFAULT JUDGMENTS ON BEHALF OF *CLOUD* PLAINTIFFS**

PLEASE TAKE NOTICE that, upon the accompanying declaration of Barry M. Salzman (the “Salzman Declaration”), with exhibits, and the accompanying memorandum of law, together with the evidenced filed in the above-captioned multidistrict litigation, the Plaintiffs identified in Exhibits A and B to the Salzman Declaration (the “*Cloud* Plaintiffs”), by and through their undersigned counsel, respectfully move this Court:

(1) for an order of judgment by default, pursuant to 28 U.S.C. 1608(e) and Rule 55(b) of the Federal Rules of Civil Procedure, against Defendant the Islamic Republic of Iran as to its liability to the *Cloud* Plaintiffs under 28 U.S.C. 1605A;

(2) for a final order of partial judgment against Defendant the Islamic Republic of Iran pursuant to 28 U.S.C. 1608(e) and Rules 54(b) and 55 of the Federal Rules of Civil Procedure awarding each of the *Cloud* Plaintiffs listed in Exhibit A to the Salzman declaration, each of whom is a U.S. citizen and a spouse, parent, child, or sibling of an individual killed in the terrorist attacks on September 11, 2001 (the “September 11 attacks”), or the estate of such a spouse, parent, child, or sibling, compensatory damages for solatium in the same amounts previously awarded to other similarly situated immediate family members of decedents killed in the September 11 attacks, and prejudgment interest thereon at the rate of 4.96 percent per annum, compounded annually for the period from September 11, 2001 until the date of the judgment;

(3) for a final order of partial judgment against Defendant the Islamic Republic of Iran pursuant to 28 U.S.C. 1608(e) and Rules 54(b) and 55 of the Federal Rules of Civil Procedure awarding each of the *Cloud* Plaintiffs listed in Exhibit B to the Salzman declaration, each of whom is a personal representative of the estate of a U.S. citizen who was killed in the September 11 attacks, compensatory damages for pain and suffering in the same amounts previously awarded to the estates of other similarly situated decedents killed in the September 11 attacks, and prejudgment interest thereon at the rate of 4.96 per annum, compounded annually for the period from September 11, 2001 until the date of the judgment; and

(4) for an order permitting the *Cloud* Plaintiffs to seek punitive damages, economic damages, or other damages at a later date.

A proposed Order is filed simultaneously with this Notice.

Dated: August 17, 2021

Respectfully submitted,

/s/ Barry Salzman

Barry Salzman
Michael Barasch
Barasch & McGarry, P.C.
11 Park Place
18th Floor
New York, NY 10007
Phone: 212.385.8000
Fax: 212.385.7845

Aryeh S. Portnoy
Glen G. McGorty
Michelle Ann Gitlitz
Crowell & Moring LLP
590 Madison Avenue
20th Floor
New York, NY 10022
Phone: 212.223.4000
Fax: 212.223.4134

COUNSEL FOR PLAINTIFFS